

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

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Date: 9/21/04 Name: Gustavo Siller, Jr. Signature: [Signature]

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Naoya Hasegawa  
Appln. No.: 10/655,942  
Filed: September 5, 2003  
For: TUNNELING  
MAGNETORESISTIVE ELEMENT  
AND METHOD OF  
MANUFACTURING THE SAME

Examiner: To be Assigned.  
Art Unit: 2652

Attorney Docket No: 9281-4591

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Transmittal Letter (in duplicate); Supplemental Information Disclosure Statement; PTO Form 1449; Copy of Office Action dated June 22, 2004 for Japanese Patent Application 2000-216347; Copy of cited references  
☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			X \$18=	
Indep.		Minus			x 43=			X \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+ \$290=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

9/21/04  
[Signature]  
Gustavo Siller, Jr. (Reg. No. 32,305)



IFW

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### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

No.	Date of Publication
6,639,766	10/2003
6,333,842	12/2001
6,721,147	04/2004
6,587,318	07/2003
6,504,690	01/2003
6,327,107	12/2001
6,325,900	12/2001
5,607,599	03/1997
6,221,518	04/2001
11-175920	07/1999
2001-229515	08/2001
11-316919	11/1999
11-31313	02/1999
8-148334	06/1996
9-16914	01/1997
11-330587	11/1999

For the Examiner's convenience, Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Also enclosed is a copy of a Japanese Office Action dated June 22, 2004 for Japanese Patent Application No. 2000-216347. As each of the listed

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references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.


By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

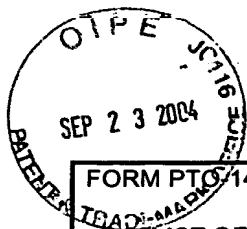
Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

Date

9/21/04

  
Gustavo Siller, Jr. (Reg. No.32,305)



FORM PTO-1449

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENT**

(use several sheets if necessary)

SERIAL NO.

10/655,942

CASE NO.

9281-4591

FILING DATE

9/5/2003

GROUP ART UNIT

2652

APPLICANTS: Naoya Hasegawa

**REFERENCE DESIGNATION****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	6,639,766	10/2003	Ishiwata Nobuyuki et al.		
	B2	6,333,842	12/2001	Ishiwata Nobuyuki et al.		
	B3	6,721,147	04/2004	Kenichi Aoshima et al.		
	B4	6,587,318	07/2003	Matahiro Komuro et al.		
	B5	6,504,690	01/2003	Matahiro Komuro et al.		
	B6	6,327,107	12/2001	Matahiro Komuro et al.		
	B7	6,325,900	12/2001	Matahiro Komuro et al.		
	B8	5,607,599	03/1997	Katsutaro Ichihara et al.		
	B9	6,221,518	04/2001	Satoru Araki et al.		

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	B10	11-175920	07/1999	Japan		X	
	B11	2001-229515	08/2001	Japan		X	
	B12	11-316919	11/1999	Japan		X	
	B13	11-31313	02/1999	Japan		X	
	B14	8-148334	06/1996	Japan		X	
	B15	9-16914	01/1997	Japan		X	
	B16	11-330587	11/1999	Japan		X	

EXAMINER  
INITIAL**OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)**

	B17	Japanese Office Action dated June 22, 2004 for Japanese Patent Application No. 2000-216347

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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